

10/586208

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

AP20 Rec'd PCT/PTO 13 JUL 2006

International application No. PCT/EP2004/053047

1. Reference is made to the following document:

D1 = US-A-4,642,471

- 2.. The present application does not fulfill the requirements of Article 33(1) PCT, because the object of Claims 1 and 15 is not novel as defined in Article 33(2) PCT.

D1 shows a fire detector in Figure 6, which operates according to the scattered light principle and has a first radiation transmitter 4.1, which cooperates with a first radiation receiver 6.1. The route of the beam path between the transmitter and receiver forms a first scattering volume, so that D1 discloses the preamble of Claim 1.

Furthermore, using a second radiation transmitter 4.2 which defines a second scattering volume together with a second radiation receiver is known from D1. As is obvious from Figure 6, both scattering volumes are spatially separated, so that the features of the characterizing part are also known from D1, which justifies the above objection because of lack of novelty. In addition, it was also determined that the same object was achieved, specifically increasing the operational reliability, by providing redundancy, and an alarm is given only if there is smoke in both volumes (see D1, column 9, lines 6-7).

The above statements apply similarly for method Claim 15.

3. The contents of dependent Claims 2 through 14 and 16 through 26 are directed to different technical refinements which are not connected to one another by a shared concept. Thus, for example, Claims 2 - 3 describe

mechanical embodiments, while Claim 5 is directed to the position of the scattering volumes, and Claim 6 introduces a third transmitter/receiver combination.

After discontinuation of independent Claims 1 and 15, it is therefore not dictated in Rule 13 PCT that all refinements listed in the dependent claims be examined.

It is recommended that the search report be evaluated before it is determined in which direction the present application should be further prosecuted.

4. In the event of further prosecution of the present application, the following points are to be considered:

- The independent claims are to be delimited in relation to D1.
- Publication D1 is to be acknowledged in the introductory part of the description.
- The description is to be adapted to the revised claims.